

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



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In the Matter of the Application of Granite  
Telecommunications, LLC (U6842C) to  
Expand its Certificate of Public  
Convenience And Necessity to Include  
Additional Service Territories.

A.16-01-008  
(Filed January 21, 2016)

**PREHEARING CONFERENCE STATEMENT  
OF THE SAFETY AND ENFORCEMENT DIVISION**

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May 13, 2016

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**I. INTRODUCTION**

Pursuant to Administrative Law Judge (“ALJ”) Ayoade’s April 25, 2016 Ruling Setting a Prehearing Conference; and Requiring Parties to Meet and Confer and File a Joint Prehearing Conference Statement (“Ruling”), the Safety and Enforcement Division of the California Public Utilities Commission (“SED”) hereby submits this Prehearing Conference Statement in advance of the Prehearing Conference (“PHC”) scheduled for May 25, 2016, at 10:00 a.m. SED and Granite Telecommunications, LLC (“Granite”) confirm they met telephonically on April 26, 2016, to discuss the issues presented in the Ruling. Unfortunately, they could not jointly agree to a proposed schedule as well as other issues.

**II. BACKGROUND**

On March 3, 2016, ALJ Ayoade issued a ruling requesting additional information from Granite regarding its application and setting a PHC for March 17, 2016. On March 11, 2016, the parties informed the ALJ that Granite would be filing an amended application and that holding the PHC on March 17, 2016 would be premature. On March 14, 2016, the ALJ cancelled the March 17, 2016 PHC due to the pending amendment to the application. On March 22, 2016, Granite filed an amended application.

### III. PREHEARING CONFERENCE ISSUES

**1) Identification of the specific factual and legal issues that the Commission needs to decide in this case.**

SED states that the specific factual and legal issues that the Commission needs to decide in this case include whether Granite violated the Commission's Rules of Practice and Procedure's Rule 1.1 and whether this affects its fitness to operate in California.

**2) Whether and what material facts are undisputed.**

SED states the material fact that should not be in dispute include the two instances of a "Complaint Regarding Unauthorized change of Subscriber's Telecommunications Carrier before the Federal Communications Commission" in 2004 and 2008.

**3) Whether any discovery is needed and the anticipated date such discovery must be completed.**

SED states that discovery is needed and that it should end 90 days from May 25, 2016, the date of the PHC in this proceeding.

**4) Whether hearing is needed or whether the parties intend to submit written testimony or declarations upon which a decision may be issued.**

SED states only written testimony or declarations in this proceeding are necessary rather than scheduling hearings.

**5) If hearing is needed, the estimated time / days required for hearing, and the number of potential witnesses that each side intends to call at the hearing.**

If a hearing is needed, only 1 day is needed and will only require one witness from SED.

**6) A proposed schedule for this case, including dates for completing discovery, filing prepared written testimony (as applicable), and for hearing.**

SED proposes the following procedural schedule for this case:

<b>August 25, 2016</b>	<b>Discovery completed</b>
<b>September 26, 2016</b>	<b>SED Prepared Testimony</b>
<b>October 25, 2016</b>	<b>Granite Rebuttal Testimony</b>
<b>November 2, 2016</b>	<b>Evidentiary Hearing</b>

**November 15, 2016**

**Opening Briefs**

**November 29, 2016**

**Reply Briefs**

#### **IV. CONCLUSION**

SED appreciates the opportunity to provide input on these issues in advance of the Prehearing Conference on this matter and looks forward to discussing these issues further at the Prehearing Conference scheduled for Thursday, May 25, 2016, at 10:00 a.m.

Respectfully submitted,

/s/ SELINA SHEK

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